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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 08-1339 DOC (AJWx)

Date: November 26, 2008

Title: THE SUNRIDER CORPORATION dba SUNRIDER INTERNATIONAL V. BOUNTIFUL BIOTECH CORP., ET AL.

DOCKET ENTRY

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: _____ Deputy Clerk: _____

PRESENT: THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): ORDER DENYING EX PARTE APPLICATION FOR A TEMPORARY RESTRAINING ORDER

On November 24, 2008, this Court received Plaintiff's, the Sunrider Corporation, Ex Parte Application for a Temporary Restraining Order, and Order to Show Cause re: Preliminary Injunction (the "TRO") in conjunction with a Memorandum of Points and Authorities in Support Thereof.

Plaintiff's request for a TRO without notice to Defendants is hereby DENIED. Plaintiff has not met its burden of showing that immediate and irreparable injury will result to it if notice and an opportunity to be heard is given to the Defendants. The issuance of a temporary restraining order without notice is a very drastic remedy, and the Court will not issue a temporary restraining order without notice unless it is absolutely convinced that a plaintiff will suffer irreparable injury and dire consequences are certain to occur. Plaintiff's moving papers fall far short of convincing the Court of such injury and consequences.

The Clerk shall serve this minute order on all parties to the action.

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Initials of Deputy Clerk _kh__
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